

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THEODORE J. FOLKMAN,

Plaintiff,

v.

U.S. DEPARTMENT OF STATE,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

Civil Action No.: 1:13-cv-10614-RWZ

UNOPPOSED MOTION FOR EXTENSION TO PRODUCE VAUGHN INDEX

The government requests that the Court extend its deadline for the government to produce a Vaughn index to Plaintiff. The Court has ordered a Vaughn index to be produced on this day. Until two days ago, the government had, in an extensive and expensive search, found no documents responsive to Plaintiff's Freedom of Information Act (See attached Declaration of Sheryl L. Walter, ¶ 4, which sets forth Plaintiff's extremely general and broad request. See ¶ 10 for description of what searches for the requested documents entailed.). As a result, the government determined that no Vaughn index would be required. However, two days ago, on August 14, 2013, the government found some potentially responsive documents in the Department of State Office of Legal Counsel. Some of these documents have since been found to be responsive as a preliminary matter. See Declaration ¶ 13. All of these documents must be reviewed further for responsiveness and for whether they are releasable in whole or in part under the FOIA. See ¶ 16. In addition, there is some indication from the documents that another component or components of the Department of State received the documents, so

the Department believes it is required to revisit its earlier searches of other offices.

The government anticipates that 45 days will be required to conduct these additional tasks.

Accordingly, the government requests that the deadline for producing a Vaughn index be extended to September 30, 2013. The government is unaware of any prejudice to Plaintiff with this extension.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

/s/ Anita Johnson
ANITA JOHNSON
Assistant U.S. Attorney
Moakley United States Courthouse, Ste. 9200
One Courthouse Way
Boston MA 02210
(617) 748-3633
Anita.johnson@usdoj.gov

Certificate of Service and Rule 7.1 Conference

I certify that the foregoing will be filed through the ECF system of the Court, which system will serve Plaintiff Pro Se electronically, and that I conferred with said Plaintiff and he does not oppose this motion, on this 16th day of August 2013.

/s/ Anita Johnson